

III Ralph A. Schwartz, P.C.

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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

HERLINDA GOMEZ-DE-LEON, individually;)
HERLINDA GOMEZ-DE-LEON, as parent and)
guardian of MICHELLE TRUJILLO, a minor;)
HERLINDA GOMEZ-DE-LEON, as parent and)
guardian of VIVIANA TRUJILLO, a minor;)
HERLINDA GOMEZ-DE-LEON, as parent and)
Guardian of GERARDO TRUJILLO, a minor,)

Plaintiffs,)

vs.)

AMERICAN FAMILY MUTUAL)
INSURANCE COMPANY; DOES 1-10,)
inclusive; ROE CORPORATIONS 1-10,)
inclusive;)

Defendants.)

Case No.: 2:11-cv-00168-GMN-LRL

ORDER COMPROMISING A MINOR'S CLAIM

Upon the Application of HERLINDA GOMEZ-DE-LEON for Compromise of a
Minors' Claim, and good cause appearing,

That the allegations in said Petition are fully proved and it further appearing to the
satisfaction of the Court that the best interest of said minor children will be promoted by said
compromise as follows:

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that said Petition for Compromise of a Minor's Claim on behalf of M.T. be and the same is hereby approved in the sum of THREE THOUSAND DOLLARS (\$3,000.00).

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that said Petition for Compromise of a Minor's Claim on behalf of G.T. be and the same is hereby approved in the sum of THREE THOUSAND DOLLARS (\$3,000.00).

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the proceeds of the compromise received on behalf of M.T., from American Family Mutual Insurance Company in the amount of \$3,000.00 be distributed as follows:

SETTLEMENT AMOUNT	\$3,000.00
Attorney's Fees (40%)	\$1,200.00
Attorney's Costs	\$ 116.66
Nevada State Bank Account Set-Up Fee	\$ 100.00
TOTAL NET TO M.T.	\$1,583.34

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the proceeds of the compromise received on behalf of G.T., from American Family Mutual Insurance Company in the amount of \$3,000.00 be distributed as follows:

SETTLEMENT AMOUNT	\$3,000.00
Attorney's Fees (33.33%)	\$1,200.00
Attorney's Costs	\$ 116.66
Nevada State Bank Account Set-Up Fee	\$ 100.00
TOTAL NET TO G.T.	\$1,583.34

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1 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the above-mentioned
2 proceeds to be paid as attorney's fees are to be calculated from the gross settlement and are to be
3 calculated before the deduction of costs, medical or other expenses. The above-stated costs are
4 to be reimbursed to the law firm of RALPH A. SCHWARTZ, P.C. and shall be calculated after
5 the deduction of attorney's fees but before deduction of medical or other expenses.
6

7 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the law firm of
8 RALPH A. SCHWARTZ, P.C., upon receiving the proceeds of said compromise, will pay
9 Nevada State Bank the amount of \$100.00 on behalf of each minor child for the one-time
10 Restricted Account Set-Up Fee for the establishment of the blocked interest bearing minors'
11 account.
12

13 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that HERLINDA
14 GOMEZ-DE-LEON, as Guardian, shall deposit on behalf of M.T. the sum of ONE
15 THOUSAND FIVE HUNDRED EIGHTY-THREE DOLLARS AND THIRTY-FOUR CENTS
16 (\$1,583.34) into a blocked, interest bearing account with Nevada State Bank, 230 Las Vegas
17 Boulevard South, Las Vegas, Nevada 89101, with the provision that there be no withdrawals
18 from said account without a prior Order from this Court or until the eighteenth birthday of M.T.
19 which is on December 10, 2013.
20

21 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that HERLINDA
22 GOMEZ-DE-LEON, as Guardian, shall deposit on behalf of G.T. the sum of ONE THOUSAND
23 FIVE HUNDRED EIGHTY-THREE DOLLARS AND THIRTY-FOUR CENTS (\$1,583.34)
24 into a blocked, interest bearing account with Nevada State Bank, 230 Las Vegas Boulevard
25 South, Las Vegas, Nevada 89101, with the provision that there be no withdrawals from said
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1 account without a prior Order from this Court or until the eighteenth birthday of G.T. which is
2 on April 19, 2019.

3 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that HERLINDA
4 GOMEZ-DE-LEON, as Guardian by and through her attorneys Ralph A. Schwartz, P.C., shall
5 request from this Court a signed order prior to the withdrawal of any and all funds associated
6 with this minors' compromise.
7

8 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that HERLINDA
9 GOMEZ-DE-LEON, as Guardian by and through her attorneys Ralph A. Schwartz, P.C., shall
10 provide this Court a final accounting of said funds prior to the withdrawal of any funds
11 associated with this minors' compromise.
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13 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that HERLINDA
14 GOMEZ-DE-LEON, as Guardian by and through her attorneys Ralph A. Schwartz, P.C., within
15 sixty (60) days after receiving the proceeds of said compromise, shall file with the Court proof
16 that a blocked trust account has been established.
17

18 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Petitioner,
19 HERLINDA GOMEZ-DE-LEON, is hereby allowed to continue to serve as Guardian Ad Litem
20 for the minor child, without bond, for the limited purpose of administering the funds of the
21 minor child, as provided herein.
22

23 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that a status hearing
24 will be held on December 2, 2011, at 9:00a.m. to confirm that the blocked trust accounts have
25 been established. To the extent proof of the blocked accounts is filed with the Court prior to
26 December 2, 2011, the status hearing will be vacated.
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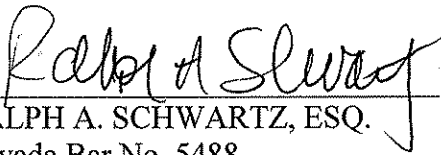
1 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that said compromise is
2 accepted without the filing of any bond.


3
4 **DATED** this 25th day of August, 2011.

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6 
7 Gloria M. Navarro
United States District Judge

8 Respectfully submitted by:

9 RALPH A. SCHWARTZ, P.C.

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11 
12 RALPH A. SCHWARTZ, ESQ.
13 Nevada Bar No. 5488
14 *Attorneys for Petitioner*

 Ralph A. Schwartz, P.C.

ATTORNEYS AT LAW